REMARKS

The presently pending claims are directed to an invention in which a video segment can be shared over a computer network by first receiving the video segment at a receiving computer on the network. The receiving computer assures that the video segment is in a streaming video format, and creates at least one identification tag for the video segment. The receiving computer also stores the video segment, and communicates the identification tag to another computer on the network. Upon subsequent receipt of that identification tag, the receiving computer streams the video segment to a destination computer on the network.

Claim Rejections – 35 USC § 112

The examiner has rejected claim 1 under 35 U.S.C. § 112, ¶ 2 as failing to point out and distinctly claim the subject matter regarded as the invention. More particularly, the examiner has asserted that it is unclear at what point the claimed identification tag is received by the receiving computer or from where the identification tag is sent. While it is correct that claim 1 does not identify a particular source for the identification tag received at the receiving computer, this does not render the claim indefinite. To the contrary, claim 1 clearly and definitely claims a method in which the receiving computer may receive the identification tag from any number of sources, which is both consistent with the scope of the invention, and consistent with the detailed description accompanying the present application, which provides for example:

> The operator of sender A's computer 10 can then use the identifier to request that the video be streamed to sender A's computer 10 for viewing, and/or the operator of sender A's computer 10 can provide the identifier to another viewer, for example, by way of a Web page, or by an e-mail. In one embodiment, the identification tag can be embedded in a Web page so that a visitor to the Web page can activate the identification tag, such as a link to a URL, and can transmit to the receiving computer the information required to cause the streaming of the video segment to the computer of the Web page visitor for viewing. In the case of an identifier such as a URL, the operator of sender A's computer 10 additionally can communicate the identifier orally or in writing to another viewer. The other viewer can then use the identifier to request that the video be streamed from the streaming server D 40 to his or her computer for viewing.

See Pub. No. US 20020056123 A1 (U.S. App. No. 09/803,243), ¶ [0048]. Thus the receiving computer may receive the identification tag from at least the sender of the video ("sender A"), or another viewer, who might receive the identification tag from, for example, an e-mail, a Web page or Web page link, orally, or in writing.

In view of this and other support within the specification for a variety of different possible sources of the identification tag, the applicant submits that the absence of a particular source of the identification tag in claim 1 is entirely appropriate for the claimed invention, and entirely clear in the context of the present disclosure.

The applicant respectfully requests that the examiner withdraw this rejection of claim 1.

Claim Rejections – 35 USC § 102

The examiner has rejected the independent claims, claim 1 and claim 57, as anticipated by U.S. Pat. No. 6,774,926 to Ellis et al. ("Ellis").

Ellis discloses a personal television channel system in which personal video content is published and shared through an interactive television guide. "The program guide may allow the user to access information using various selectable options. . . . Personal channels option 162 may provide the user with an opportunity to view program schedule information for personal television channel programming." Ellis, Col. 10, ll. 34-44.

This is fundamentally different from the applicant's claimed invention which facilitates sharing of a video by receiving and processing a video segment and returning to a provider of the video an identification tag that may be shared or distributed. As characterized in claim 1, the method includes receiving a video segment and "performing *automatically at the receiving computer, in response to a command* received over the network, the steps of:" assuring a streaming video format, creating an identification tag, storing the video segment, and returning the identification tag to the provider of the video segment." These automatic processing steps may be invoked for example, by transmitting an e-mail, posting an HTML form, or uploading data through an FTP connection, as described in the specification. See US20020056123, ¶ [0049]-[0054]. Claim 57 has been amended to clarify this inventive concept.

There is no teaching of the automatic, responsive processing of the claimed invention, or the resulting identification tag that is returned to a provider of a video segment. Rather, Ellis appears to teach a conventional streaming media server storing content that may be identified in a directory such as an interactive television guide. This involves a number of manual steps by a publisher.

First, the content must be uploaded to the server. "[A] contributor may submit a video for a personal television program to a server (e.g., a server such as server 50 at a television distribution facility 32) using a cable modem Internet link." Ellis, Col. 4, ll. 7-11. "The server may store the video until requested or until a scheduled broadcast time." Ellis, Col. 8, l. 30-32.

Second, scheduling information must be provided for this content. "A data collection application may be used to facilitate the collection of schedule data for personal television channel programming from the contributors or creators of such programming. For example, a web page or other interface may be used by contributors to enter personal television channel schedule information over the Internet." Ellis, Col. 5, ll. 9-15.

Finally, the schedule for the content may be published in an interactive program guide. "Viewers may be provided with schedule information for conventional television programs and personal television channel programs using any suitable technique. One approach involves using a passive television channel to make the schedule information available. . . . Another approach involves using an interactive television program guide to access the schedule information." Ellis, Col. 8, ll. 37-51.

The balance of the disclosure of Ellis features various features that may be included in an interactive programming guide. There is no teaching or suggestion of automatically responding to a user command by storing a video segment, verifying streaming media format of the video segment, generating an identification tag for the video segment, and returning the identification tag to the computer that provided the video segment. As such, Ellis cannot, either alone or in combination with the other cited art, anticipate the invention of claims 1 and 57, or render these claims obvious.

Since all of the independent claims are patentable over the cited art, the claims depending therefrom are likewise patentable. The applicant requests that the examiner reconsider and withdraw the rejections based upon Ellis, and allow the pending claims.

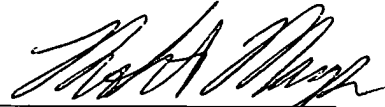### *Claim Rejections – 35 USC § 103*

No obviousness rejections have been raised by the examiner with respect to the independent claims. Because the independent claims are allowable over the art of record, the claims depending therefrom are likewise allowable.

Conclusion

The claims currently pending in this case, as amended above, are believed to be in condition for allowance. The applicant therefore requests that the examiner withdraw any outstanding objections and rejections and issue a notice of allowability for pending claims 1-84.

Respectfully submitted

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December 28, 2005